

DAVID A. REICHELT
President of Council

NANCY E. FELLOWS
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

ORDINANCE NO. 2013-18

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
FRANK A. GERMANO
KEVIN D. MALECEK
RAYMOND C. SOMICH

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE & STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2013 AND DECLARING AN EMERGENCY.

WHEREAS, the Council of The City of Willoughby Hills on February 28, 2013, by motion, granted the Mayor authorization to advertise for bids to secure the City's requirement of asphalt for the year 2013; and

WHEREAS, the Council of the City of Willoughby Hills has reviewed and accepts the recommendations as provided by the Mayor in his Memorandum, dated April 12, 2013 directed to Council President and Council Clerk, attached hereto as **Exhibit "A"**, consisting of six (6) pages and incorporated herein by reference, finding the following bid of: **\$59.00** per ton/picked up and **\$66.00** per ton/delivered for ODOT #448-Type 1 Asphalt Concrete, Surface Course; **\$51.00** per ton/picked up and **\$58.00** per ton/delivered for ODOT #448-Type 2 Asphalt Concrete, Intermediate Course; **\$51.00** per ton/picked up and **\$58.00** per ton/delivered for ODOT #301 Asphalt Concrete Base as submitted by Osborne Concrete & Stone, Inc. to be the lowest and best bid in conformance with all contract requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The Mayor is hereby authorized and directed to accept the bid as submitted by Osborne Concrete & Stone, of 1 Williams Street, P. O. Box 249, Grand River, Ohio 44045, substantially pursuant to the terms and conditions as identified in the bid, opened on March 22, 2013, attached hereto as part of **Exhibit "A"**, consisting of six (6) pages and incorporated herein by reference.

SECTION 2. The Director of Finance is authorized and directed to return all bid bonds to the unsuccessful bidders.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of the City's Service Department, and further reason to allow the City to accept the bid and enter into a contract with Osborne Concrete & Stone; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: April 25, 2013

Submitted to the Mayor for his approval
on this 28 day of June, 2013

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

David A. Reichelt
David A. Reichelt
President of Council

Approved by the Mayor
April 25, 2013

Robert M. Weger
Robert M. Weger
Mayor